

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

ANGELA C. FREEMAN,
Plaintiff,

Civil No. 04-6351-ST

v.

ORDER

JO ANNE BARNHART,
Commissioner of Social
Security Administration

Defendant.

MARSH, Judge.

Magistrate Judge Janice M. Stewart filed her Findings and Recommendation on September 2, 2005. The matter is now before me. See 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ P. 72(b). No objections have been timely filed. This relieves me of my obligation to give the factual findings de novo review. See §636(b)(1)(C); Simpson v. Lear Astronics Corp., 77 F.3d 1170, 1174-5 (9th Cir. 1996). Having reviewed the legal principles de novo, I find no error.

Accordingly, I ADOPT Magistrate Judge Stewart's Findings and Recommendation #14. The Commissioner's decision is REVERSED and this matter is REMANDED for an immediate award of benefits.

IT IS SO ORDERED.

DATED this 11 day of October,

/s/ Malcolm F. Marsh
Malcolm F. Marsh
United States District Judge